

PATENT  
Attorney Docket 061525-5011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Miekka *et al.***

Application No. 09/960,703

Art Unit: 1744

**Filing Date: September 24, 2001**

**Examiner: Krisanne Jastrzab**

For: **Methods for sterilizing biological materials containing non-aqueous solvents**

## NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES


Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated May 5, 2005 of the Examiner finally rejecting claims 91 to 134.

The Commissioner is hereby authorized to charge **\$250.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee as set forth on the accompanying transmittal form.

**Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 7, 2005**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
Gregory T. Lowen  
Registration No. 46,882

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